

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	CR. NO. 05-00044 JMS
	)	
Plaintiff,	)	FURTHER ORDER RE: MOTION
	)	FOR REDUCTION OF SENTENCE
vs.	)	PURSUANT TO FEDERAL RULE
	)	OF CRIMINAL PROCEDURE 35(b)
MYLINH THI WEBB,	)	
	)	
Defendant.	)	
_____	)	

FURTHER ORDER RE: MOTION FOR REDUCTION OF SENTENCE  
PURSUANT TO FEDERAL RULE OF CRIMINAL PROCEDURE 35(b)

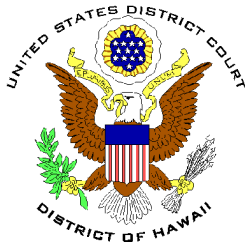
On March 21, 2007, the United States filed a motion seeking an order from this court reducing the sentence of defendant Mylinh Thi Webb (“Defendant”) pursuant to Federal Rule of Criminal Procedure 35(b). At that time, the United States requested that the court defer consideration of the motion pending Defendant’s continued cooperation. On February 13, 2008, the United States filed an amended motion requesting that the court reduce Defendant’s sentence of 84 months to 54 months. Defendant’s counsel, William Harrison, was given until February 22, 2008 to file a memorandum setting forth Defendant’s position on the United States’s Rule 35(b) Motion.

On February 25, 2008, the court filed an Order Granting Motion for Reduction of Sentence Pursuant to Federal Rule of Criminal Procedure 35(b). Defendant then filed a Supplemental Memorandum in Support of the Government's Amended Motion for Reduction of Sentence for Substantial Assistance Pursuant to F.R.Cr.P. 35(b)(1)(A) ("Supplemental Memorandum") on February 26, 2008, four days late.

Although Defendant's Supplemental Memorandum was untimely, the court has reconsidered this matter, taking into consideration the arguments set forth in the Supplemental Memorandum. Having considered Defendant's Supplemental Memorandum and entire record, the court reaffirms its February 25, 2008 Order Granting Motion for Reduction of Sentence Pursuant to Federal Rule of Criminal Procedure 35(b). That is, the court orders that Defendant's original sentence of 84 months imprisonment be reduced by 30 months to a new sentence of 54 months imprisonment.

IT IS SO ORDERED.

DATED: Honolulu, Hawaii, February 27, 2008.



/s/ J. Michael Seabright  
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J. Michael Seabright  
United States District Judge